

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: RUSSELL-4

In re Patent Application of:

James A. RUSSELL *et al.*

Application No.: 10/591,224

I.A. Filed: March 4, 2005

For: TOLL-LIKE RECEPTOR 2 (TLR-2) HAPLOTYPES
PREDICT OUTCOME OF PATIENTS

Confirmation No.: 7819

Group Art Unit: Unassigned

Examiner: Unassigned

Washington, D.C.
June 25, 2008

INFORMATION DISCLOSURE STATEMENT [IDS]

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window
Randolph Building, Mail Stop Amendment
401 Dulany Street
Alexandria, VA 22314

Sir:

This Information Disclosure Statement is submitted in accordance with 37 CFR §§1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

[X] 1. This IDS should be considered, in accordance with 37 CFR §1.97, as it is filed:

[] A. within three months of the filing date of the above-identified national application or within three months of the entry into the national stage of the above-identified international application.

[X] B. before the mailing date of a first office action on the merits or before the mailing of a first Office action after the filing of a Request for Continued Examination under 37 CFR §1.114; or

[X] 2. In accordance with 37 CFR §1.98, this IDS includes a list (e.g., form BN/SB/08A/B) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. Other than U.S. patent(s) and/or published U.S. application(s), which 37 CFR §1.98(a)(2)(ii) does not require to be filed unless specifically required by the Office, a copy of each document listed is attached, except as explained below:

[] A. Document(s) _____ is/are deemed substantially cumulative to document(s) _____, and, in accordance with 37 CFR §1.98(c), a copy of each of the former documents(s) is not enclosed.

[] B. Certain documents were previously cited by or submitted to the Office in the following prior application(s), which are relied upon under 35 U.S.C. 120:
(insert serial numbers and filing dates of prior applications)

Applicant identifies these documents by attaching hereto copies of the forms PTO-892, PTO-1449, PTO/SB/08a and/or PTO/SB/08b (or their BN form equivalents) from the files of the prior application(s) or a fresh BN/SB/08A and/or BN/SB/08B listing these documents, and request that they be considered and made of the record in accordance with 37 CFR §1.98(d). Per 37 CFR §1.98(d), copies of these documents need not be filed in this application.

- ☐ 3. Document ___ is not in the English language. In accordance with 37 CFR §1.98(a)(3), Applicant states:
- ☐ An English translation of each document ___ (or of the pertinent portions thereof), or a copy of an English-language abstract (or claim) is enclosed.
- ☐ For documents _____, a corresponding English-language patent or published application is included on the accompanying Form BN/SB/08A, with a line drawn in the margin connecting the non-English-language document with its corresponding English-language document.
- ☐ A concise explanation of the relevance of document(s) _____ is found in the attached _____ search report (see reply to _____ Comment 68 in the preamble to the final rules; 1135 OG 13 at 20).
- ☐ A concise explanation of the relevance of document(s) _____ is set forth as follows:
- ☐ A concise explanation of the relevance of document(s) _____ can be found on page(s) _____ of the specification.
- ☐ A concise explanation of the relevance of document(s) _____ can be found on the attached sheet.

☒ 4. No explanation of relevance is necessary for documents in the English language (see reply to Comments 67 and 68 in the preamble to the final rules; 1135 OG 13 at 20).

- ☐ 5. Other information being provided for the examiner's consideration follows:

6. In accordance with 37 CFR §§1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in 37 CFR §1.56(b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant reserves the right to prove that the date of publication is in fact different.

Respectfully submitted,
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